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Caught in the crossfires : changes for women during the transition period in Iran.

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Caught in the Crossfires:
Changes for Women During the Transition Period in Iran

By

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ABSTRACT

CAUGHT IN THE CROSSFIRES: CHANGES FOR WOMEN DURING THE TRANSITION PERIOD IN IRAN

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This paper explores the various ways in which the roles and lives of women changed and continued in the transition from Zoroastrian majority Iran[1] to post-conquest Islamic ruled Iran during the 7th and 8th centuries. This paper mostly utilizes secondary sources due to the author's inability to read the languages of the primary sources. Through the various sources, the paper discusses the background of the time period in the sections on Sassanian Persia, women in Sassanian Persia, the Arab Conquest of Persia, women in early Islam, and the Transition Period. Then it explores the ways in which women's lives were possibly impacted: the effects of conversion, ceremonies/rites, marriage, land ownership, veiling, menstruation practices, slavery, and homes. Finally, in the conclusion the paper is summarized and the implications are discussed. The findings of this research is that women's lives did not change very drastically but the ways in which women's lives were significantly altered were social, and not socio-economic or religious. This is largely due to the fact that Zoroastrians did not convert in large numbers, and Muslims did not force them to, so conversion was quite a slow process in Iran. However, this did not stop the society from changing, and the people in it adopting different cultures.

[1] Note that I will use Iran and Persia interchangeably throughout this paper.

Introduction

"I have long believed that full face coverings, such as the burqa, were oppressive, presented barriers to assimilation, disadvantaged women from finding employment, were causing issues inside our justice system, presented a clear security threat and has no place in modern Western society."[2] This is the quote from the Facebook of Australian senator, Pauline Hanson, who has supported a ban on such Islamic clothing as the burqa in Australia as recently as 2017.[3] This sentiment is not usual as it seems every time one turns on the news, some politician is accusing Islam of being a negative influence on women's quality of life. This theme has impacted the idea many Westerners have of Islam intensely, and often when we discuss fighting terrorism in the Middle East we continue on a discussion about how Muslim women need saving. We often are shocked by the women who convert to Islam, and wonder why they would make such a choice. This leads one to question: Would a change in religion really have the potential to improve or worsen a woman's life and how would that change manifest? As it turns out, our era is not the only one concerned with women and Islam. To answer our questions about today, perhaps we should begin with questions and examples from the past. One such example would be the conquest of Persia in the 7th century and the transition of religion Zoroastrian Persians experienced from that time through the 9th century. Women, of course, also experienced this transition although they are often left out of the narrative. There is not a lot of literature that exists on women in this period, although there exists much on male roles within this period especially concerning the military. While the military aspects of this time are certainly important, exploring only that aspect of the period leaves out the lives of half of the population. This paper

[2] Euan McKirdy, "Far Right Australian Senator Slammed for Burqa Stunt," *CNN*, August 17th, 2017, Accessed March 26th, 2018. https://www.cnn.com/2017/08/17/asia/australia-pauline-hanson-burqa/index.html.
[3] Ibid.

looks to fill that gap in historical research. During the transition period and conversion to Islam, their lives were often affected in terms of religious practices, bodily and personal practices, legal institutions, and within their domestic lives. However, even with those aspects considered their lives were not changed by the transition drastically in that they still did not have the power of men in almost all aspects of their lives, nor the ability to live as freely as men. This paper argues that Persian women's lives did not change greatly in socioeconomic and religious ways during the Transition Period, but did change in a social context.

Organization of Paper

After the introduction and organization of the paper is discussed, the literature review and methodology will follow, explaining what other works I looked into, what this paper is adding to the literature, and how the research occurred. Following that the paper explores the background of the time period, including a discussion of Sassanid Persia, the lives of women during that time, the Arab conquest of Persia, women's lives under Early Islam, and general information about the Transition Period. Then I discuss the main argument of the paper on how women's lives changed or continued beginning with the category of religious practices which include the effect of conversion and ceremonies. Then I discuss bodily and personal practices like veiling and menstruation. Thirdly, this paper explores legal institutions such as marriage and land ownership, while lastly women's domestic lives in the forms of slavery and houses are discussed. Finally, I end with my conclusion.

Literature Review

There is very limited literature on Persia in this time period, especially pertaining to women. This is perhaps due to the limited amount of primary works that discuss women in this

time period, as well as the general tendency of historians to solely focus on men in the past due to patriarchal social systems that most throughout the world live in. However, the research that exists mainly discusses particular aspects of women's lives such as marriage or inheritance rights, for example. There is a debate about this time period that exists on whether or not Islamic rule improved or hurt women's overall status and rights, however this paper will mainly focus only on the multiple ways in which their lives did or did not change.

The scholar that seems to have studied my topic area the most is Jamsheed Choksy. His research addresses how Zoroastrians' viewed and interacted with Muslims. He often discusses vital information about the lives of Zoroastrian women, including marriage and family during the transition period.[4] He also researches general interactions between Zoroastrians and Muslims after the conquest.[5] In addition, his research addresses how conversion to Islam affected women during this period.[6]

There is a considerable amount of work on solely Sassanian women and their roles in that society. One noted scholar on this time period is Richard Payne. Although he does not discuss women's lives under Muslim rule, he does provide important details of women under the Sassanian rulers and provides details on how harsh their lives could be.[7] He discusses how sexuality was extremely important in Sassanian Iran, especially due to the Sassanians' preoccupation with having an heir for each man.[8] Another scholar who deals primarily with the Sassanians within her research is Haleh Emrani. She researches the various types of marriages

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[4] Jamsheed Choksy, *Evil, Good, and Gender: Facets of the Feminine in Zoroastrian Religious History* (New York: Peter Lang, 2002.)
[5] Jamsheed Kairshasp Choksy, "Muslims and Zoroastrians in Medieval Iran and Western Inner Asia: Cultural Transition and Religious History," (PhD Diss., Harvard University, 1991).
[6] Ibid.
[7] Richard E. Payne, "Sex, Death, and Aristocratic Empire: Iranian Jurisprudence in Late Antiquity," *Comparative Studies in Society and History* 58.2 (2016): 519-49.
[8] Ibid.

that were permitted by the Sassanians.[9] She also shows how each type of marriage was basically a way to gain control over a woman's life and how most of these marriages had the purpose of producing and heir for a man.[10]

Some scholars are engaged within the debate on how Islam did or did not improve women's lives with its coming in Persia. One researcher who argues that women had more rights under Islam in the medieval world is Yasmin Hilloowala.[11] She argues that Islam gave women the right to own property, abolished the practice of female infanticide, and in some ways kept a check on the number of wives a man could have.[12] This is an interesting argument that defies what many Westerners believe about the relationship between Islam and women. One researcher that I have found that supports the idea that women's lives did not change very much during the religious transition is Rahele Jomepour, who argues that women's rights continued to be limited from the Sasanian Zoroastrian era to the Islamic rule era. Jomepour argues that women continued to have little importance politically, continued to be slaves, and had to always cover their heads.[13] Jompour's study and Hilloowala's study are interesting to contrast due to the stark differences of the pictures they paint under Islamic rule.

As previously mentioned, information on this time period is scarce in general, especially concerning women, and much of the existing scholarship focuses on marriage primarily. My research brings new information to the field by finding how women's lives would have changed in multiple ways. Although I will discuss women's changes in matrimony, there are also

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[9] Haleh Emrani, "Marriage Customs of the Religious Communities of the Late Sasanian Empire: An Indicator of Cultural Sharing," (PhD Diss., University of California, Los Angeles, 2011).
[10] Ibid.
[11] Yasmin Hilloowala, "Women's Role in Politics in the Medieval Muslim World" (master's thesis, The University of Arizona, 1993), 19-21.
[12] Ibid.
[13] Rahele Jomepour, "Women in Iran: Ancient History to Modern Times, and Back" (master's thesis, Iowa State University, 2015), 9-11.

important changes ceremonially, in their families, and their ability to own land. I have been unable to find research which explores all these themes together in this time period. Also, many works have focused on either women's conditions solely in Zoroastrian Sassanian Persia or solely in Islamic Persia. Those works were especially important to analyzing change over time in this period, but fail to bridge a gap. My research will fill that gap, however.

Methodology

My research focuses primarily on secondary sources. This is due to my inability to read Arabic or Persian, and the difficulty in accessing primary sources from this time period from my location of research. The secondary sources assist me in learning about women from both religions during antiquity, the beliefs of Zoroastrianism and Islam, and information about the conquest of Persia in the 7th century. I use a few primary sources; however, they are largely from what I've found quoted in secondary works. I use both types of sources to compile the changes women would have faced, and to bridge a gap in the literature about what women were experiencing in the Transition Period.

One important warning to note on this research is the lack of information from women of all levels of society during both the Sassanian and Transition Periods. Attributes like class, race, religion, and the region where one lived had great impacts on the individual experiences of women. Not all women can be organized neatly under one umbrella term, but due to the limitations of sources and my own limitations on sources I have available, there is not much information differentiating between the experiences of diverse groups of women. Therefore, I often use the term "women" as a general term. We must keep in mind that most of the primary information that exists pertains to wealthy, upper-class women of this time period. However,

where I do find information regarding differences between women due to their social status I mention the effects of that status.

Background

Sassanian Persia and Zoroastrianism

Zoroastrianism was the religion of many of the Iranian peoples before even the time of Cyrus the Great (mid-6th century BCE), although it was largely then that we see written sources emerge from outside sources describing them as such.[14] By the time of the Sassanians, Persian society was becoming ever more religiously diverse, although the Zoroastrians were not going to let their power go.[15] The Sassanians were usually accepting of other religions, and there were considerable populations of Jews, Christians, and local religious groups.[16] While a new religion, Manichaeism, was becoming increasingly popular in Persia during the 3rd century CE, powerful Zoroastrian priests were determined to see Zoroastrianism continue as the state Sassanian religion.[17]

Women Under the Sassanian Dynasty

Women's lives were extremely touched by Zoroastrian laws and beliefs in Sassanian Persia. The priests during this time encouraged a very patriarchal belief system which often demonized women and encouraged them to be submissive.[18] In some Zoroastrian texts, women who are sexually unfaithful are vividly described as being tortured in the afterlife, while the creation myth at the time revealed that the good deity, Ahura Mazda, disliked women and would

[14] Mary Boyce, *Zoroastrians: Their Religious Beliefs and Practices* (London:Routledge & Kegan Paul Ltd, 2001), 49-50.
[15] Richard Foltz, *Iran in World History* (New York: Oxford University Press, 2016), 34-36.
[16] Ibid., 34-35.
[17] Ibid., 36.
[18] Richard Foltz, *Iran in World History* (New York: Oxford University Press, 2016), 37.

have preferred not to have created them at all.[19] It appears that women were at the heart of all evil in this religious dialogue, and were not seen as human in a moral sense. Whereas men were the preferred and righteous persons, women were their evil, seductive counterparts. Specifically it was a demoness called Jahika, who was described as a "whore", who "defiled women" who then in turn would "corrupt men and cause [men] to abandon their proper [religious] duties."[20] It was then women's jobs to avoid this evil, and men's jobs to avoid lust.[21] Women were not always synonymous with this demoness, however. If women were "modest wives, mothers, sisters, and daughters", then they were not identified with Jahika.[22] Women could be praised if they met these characteristics, but still it seems they were lesser than men no matter the case. Even if women were chaste and modest as individuals, their gender was seen as a malignant attribute.

Of course, women were often viewed as men's property within the family unit. This idea was so ingrained into Sassanian society that when a dissenter named Mazdak won the support of the King (488-496; 498-531 CE), and forged a quasi-communist wealth distribution system, he included women along with property in things that should be equally distributed to all men.[23] Women were like children in the legal system in that many of their actions had to be overseen by a male relative, usually their father, husband, or sons.[24] One of the conditions that must be met in a society where women are under men's rule is women's obedience. This was specifically done through marriage. When married, a woman became under the authority of her husband and had

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[19] Ibid., 37.
[20] Jamsheed Choksy, *Evil, Good, and Gender: Facets of the Feminine in Zoroastrian Religious History* (New York: Peter Lang, 2002), 39-40.
[21] Ibid., 40.
[22] Ibid., 40.
[23] Richard Foltz, *Iran in World History* (New York: Oxford University Press, 2016), 39.
[24] Jamsheed Choksy, *Evil, Good, and Gender: Facets of the Feminine in Zoroastrian Religious History* (New York: Peter Lang, 2002), 88.

to obey him.[25] If a married woman did not follow this rule, it was considered punishable to where her husband could divorce her even without her consent.[26] Her property was also her husband's property unless it was set up legally to be hers, hence women could own property but it had to be under the right conditions.[27] If something was given to her or obtained by her while they were married, the husband had a right to it usually.[28] If another person wanted to give something to the wife, her husband had to say he did not want it in order for it be hers, thus if he said that he did want the item then it was his.[29] However, a women's property passed down to her by her father's passing belonged to her, and any other land that had been legally defined as hers was protected from her husband.[30]

Marriage was such an important and necessary part of Sasanian society that if a woman's husband died, she would have to marry some male kin of his, while still being technically the wife of her late husband.[31] This shows that in Sasanian society, women were not allowed to exist freely on their own. Women had to be, in a sense, owned by a man in her life. In fact, this was so important to the working of Sasanian society that if a women refused to marry it was considered so severe a crime that it was punishable by death.[32] For example, although earlier than the late Sasanians, a women named Anahid, a Christian who converted from Zoroastrianism, was put to

[25] A. Perikhanian, "Iranian Society and Law," in *The Cambridge History of Iran: Volume III (II) The Seleucid, Parthian, and Sasanian Periods*, ed. Ehsan Yarshater (Cambridge: Cambridge University Press, 1983), 647.
[26] Ibid.
[27] Ibid., 647-648.
[28] Ibid., 647.
[29] Ibid., 648.
[30] Ibid.
[31] Ibid., 649.
[32] Richard E. Payne, "Sex, Death, and Aristocratic Empire: Iranian Jurisprudence in Late Antiquity," Comparative Studies in Society and History 58.2 (2016): 519-49.

death by the magi around 446 CE due to her refusal to marry due to her desire to imitate the virginity of Mary, mother of Jesus.[33]

The Zoroastrians were very thorough in their purity laws and practices, and this often especially applied to women, specifically those on their menstrual cycle. The Bundahisn, a book of creation for Zoroastrians, describes menstruation as being caused by Ahriman (or Angra Mainyu, the "Satan" of Zoroastrianism) kissing the head of a demoness who told the spirit of her evil doings to humans.[34] Not only does this show how Zoroastrians treated the feminine itself as the cause of evil, but also that they assigned something as simple as a routine bodily function to evil due to the fact that it was feminine. It was due to the idea that menstruation was caused by the evil spirit that women had to be cloistered during their cycles.[35] The Aveda, the Zoroastrian holy book, has a chapter dedicated to instructions on how to handle menstruation.[36] Separate huts were built for women to be kept in for the duration of their period.[37] One concern about the women not being secluded in these huts, from a law that comes from a dialogue between Ahura Mazda (the good spirit/Creator god) and Zoroaster, was the possibility that women might look into the fires while on their menstrual cycles.[38] Fire was very holy in Zoroastrianism, so one can imagine if menstruation was thought to be evil that a follower of the religion would not want a menstruating woman interacting with such a holy element. However, from a female perspective, one might see where this practice could take away from a woman's quality of life. For one, if one week of every month a woman has to be isolated, she cannot take part in society at all. Of course,

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[33] Jamsheed Choksy, *Evil, Good, and Gender: Facets of the Feminine in Zoroastrian Religious History* (New York: Peter Lang, 2002), 87.
[34] Siamak Adhami, "On the Seclusion of Women in Antiquity," *Iranian Studies* 49, no. 2 (2016): 291-300.

[35] Ibid.
[36] Ibid.
[37] Ibid.
[38] Ibid.

women were not expected to work outside the home, but if she had any duties including domestic work and childrearing the woman would be held back from doing that. Second, the isolation itself would be problematic in that humans need socialization, and isolation for that long of a period of time would likely not be welcomed. Third, the belief that women and a natural bodily process for them were inherently evil is problematic for all women within a society that largely adheres to those beliefs. It makes it impossible for a woman to obtain a highly respected status in the society. The belief also holds women back from benefitting in any way from practicing this religion since, if they're considered a product of evil, they cannot be deserving of saving like men.

Perhaps, the most defining aspect of family and social laws in the Sasanian Era would be the various types of marriages that existed for Zoroastrians in Sassanid times. The main point of getting married, was not love, but producing a son for whoever the legal system determined the father to be.[39] One type of marriage was "patixsayih" which was most similar to the marriages many people of modern times are familiar with.[40] In this type of marriage, the father or guardian of the unmarried woman arranged the marriage with the intended husband, who would then take over the guardianship of the woman once she became his wife.[41] However the woman's consent to the marriage was needed, and she could refuse to marry a man without the consequence of losing her inheritance.[42]The husband's guardianship of his wife ensured that the children they had together would be considered his own, thus it ensured his line.[43] In addition to that, "patixsayih" marriage made it so that the wife and any children were the beneficiaries of the

[39] Haleh Emrani, "Marriage Customs of the Religious Communities of the Late Sasanian Empire: An Indicator of Cultural Sharing," (PhD Diss., University of California, Los Angeles, 2011), 115.
[40] Ibid., 119.
[41] Ibid., 120.
[42] Ibid., 120.
[43] Ibid., 122.

husband's belongings after he died.[44] Although in this marriage it was basically the wife's duty to produce children, it was the husband's to take care of her.[45] A husband could not neglect his wife financially. The wife could also control some parts of the household, and go to the court to settle financial matters as long as she had a man with her.[46]

However, "patixsayih" was not the perfect marriage situation by any means. The type of marriage "cagarih" could also happen to a "patixsayih" wife.[47] This would occur when a woman's "patixsayih" husband could give her as a temporary wife to another man.[48] A difference between "patixsayih" and "cagarih" is that in "cagarih" unlike "patixsayih" the woman did not have a choice, and her approval was not needed.[49] Her property did not go with her to her new home either.[50] A "cagarih" marriage would not happen between an unmarried woman and a married or unmarried man, it always involved an already married woman.[51] This is because the purpose of this type of marriage was to produce an heir to the woman's "patixsayih" husband because he did not have a son with her regardless of whether he was still living or already passed.[52] So any children had with the temporary husband were deemed the permanent husband's children, and they obtained the rights of inheritance like any of his biological children would.[53] This was the case unless the adopted father/permanent husband could not financially care for these children, which would result in the biological father taking them as his own.[54]

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[44] Ibid., 122.
[45] Ibid., 123.
[46] Ibid., 123-126.
[47] Ibid., 126.
[48] Ibid., 126.
[49] Ibid., 126.
[50] Ibid., 126.
[51] Ibid., 131.
[52] Ibid., 131.
[53] Ibid., 131.
[54] Ibid., 133.

Another type of relationship a women could take part in was called “xwasrayunih” which was when she entered into a relationship with a man her father (or guardian) did not approve of.[55] This was not necessarily a marriage, because if a woman entered into this kind of relationship only for a short time she could keep her inheritance from her father, however if she was in the relationship long term she risked losing her inheritance from her father.[56] “Xwasrayunih” was not the preferred situation on the part of the daughter, but instead of being seen as her fault, it was generally regarded as the result of the father not finding his daughter a husband and thus becoming his failure.[57]

Women could also work to give their father an heir. As a “Stur”, she could oversee and appoint someone down the line as her father’s (or male relative’s) successor.[58] She usually had to produce this heir through marriage for the deceased male relative, however the “stur” could also be appointed by the judiciary as well.[59] This job was not necessarily a woman’s however, it could also be given to a man.[60] Another way a woman could ensure an heir for her father (or brother) would be to his “ayoken”, in which she would basically become her father’s “padixshay [patixsayih]” wife, and be his successor.[61] However, she would eventually have to produce a male heir so she would enter into a “cagarih” marriage in order to produce an heir.[62] In this case, her guardianship would not belong to her husband and she would remain in her own family

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[55] Haleh Emrani, "Marriage Customs of the Religious Communities of the Late Sasanian Empire: An Indicator of Cultural Sharing," (PhD Diss., University of California, Los Angeles, 2011), 134.
[56] Ibid., 136.
[57] Ibid., 134.
[58] Ibid., 136.
[59] Richard E. Payne, "Sex, Death, and Aristocratic Empire: Iranian Jurisprudence in Late Antiquity," *Comparative Studies in Society and History* 58.2 (2016): 519-49.
[60] Haleh Emrani, "Marriage Customs of the Religious Communities of the Late Sasanian Empire: An Indicator of Cultural Sharing," (PhD Diss., University of California, Los Angeles, 2011), 136.
[61] Jamsheed Choksy, *Evil, Good, and Gender: Facets of the Feminine in Zoroastrian Religious History* (New York: Peter Lang, 2002), 90.
[62] Richard E. Payne, "Sex, Death, and Aristocratic Empire: Iranian Jurisprudence in Late Antiquity," *Comparative Studies in Society and History* 58.2 (2016): 519-49.

rather than become part of her husband's family.[63] These types of relationships really exhibit the fact that Sassanian marriages were not about the marriage itself, but almost always about the need for a son or heir and continuation of the family. A very similar type of marriage was "Xwedodah" which were between family members.[64] There could exist marriages between father and daughter, mother and son, and siblings.[65] This practice was usually used to keep the ownership of property and wealth in the family.[66]

As a whole, women were primarily seen as birth givers in Sasanian Iran. Their personal lives do not seem to be so important to men of this period, outside their ability to conceive a child. It does not seem possible that women could have had many rights in this society, due to the religion of the majority encouraging the view that women were a source of evil, especially to men. Because of this belief, women were often isolated during their menstrual cycles which shows that women were not seen as clear, pure human beings. In Sassanian society, it does not seem like women's religious roles were important, and that Zoroastrianism was a religion more concerned with the saving of men. Marriage gave women a change to become "good" in Zoroastrianism's view, but it also put them under the control of a man to be used as he wished. While women could have rights to property, and did have a choice in who they married if their father was giving them in marriage, as a whole Sassanian society did not offer women many rights to take advantage of.

[63]Haleh Emrani, "Marriage Customs of the Religious Communities of the Late Sasanian Empire: An Indicator of Cultural Sharing," (PhD Diss., University of California, Los Angeles, 2011), 140-141.
[64] Ibid., 142.
[65] Ibid., 143-145.
[66] Ibid., 142.

Arab Conquest of Persia

Despite a long war with Byzantium, the Persians were unprepared for the coming of Islam.[67] A figure from the tribe of Quraysh, claiming to be a prophet, began actively preaching a monotheistic message in early 7th century Mecca. This prophet, Muhammad, united the various tribes of Arabia, which meant that now they no longer needed to invade each other, but could invade others.[68] Muhammad's death in 632 CE brought about the end of the Prophet-led campaigns, but it did not stop his followers from expanding their rule and culture even further, and in 636 CE the Sasanians saw this movement come to their borders.[69] The Arabs took over the Sasanians very easily, and within ten years.[70] Some factors that contributed to this quick takeover by the Arabs' were their unification under Islam, the fact that the Sasanians were exhausted from wars against the Byzantines, the fact that troops for the Sasanians often left for the Arabs' side, and the fact that many of the people who were under the control of the Persians were Semitic people who were more like the Arabs and resented the Persian rule.[71]

Women and Early Islam

Women's roles in Islam were largely inspired by the actions of women during the Prophet Muhammad's lifetime. While many scholars believe Muhammad did change the lives of women in Arabia during his life, it is not agreed upon how he did.[72] Some aspects of female life that were affected by Islam were infanticide, marriage, divorce, property, and role in religion.

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[67] Richard Foltz, *Iran in World History* (New York: Oxford University Press, 2016), 47.
[68] Ibid., 46-47.
[69] Ibid., 46.
[70] Ibid., 46.
[71] Ibid., 47.
[72] Nabia Abbott, "Women and the State in Early Islam," *Journal of Near Eastern Studies* 1, no. 1 (1942): 106.

Some would change women's lives for the better and others for the worst, depending on each's own perception.

One practice in which Islam improved the lives of women was the abolishment of female infanticide. Although this was practiced in some Christian and Pagan parts of the world, the Quran said that killing your children was a sin and that God would take care of the family even if the family felt they were too poor to afford another child.[73] Chapter 6, verse 151 reads "…your Lord has made binding on you…that you shall not kill your children because you cannot support them (We provide for you and for them)…"[74] This verse does not differentiate between male and female children, but that no children should ever be killed. This benefitted women enormously, because they were given a chance to live to begin with. Muslims argued that the practice had been in place in Arabia before Islam, and thus this change improved the lives of women specifically there. [75]

Marriage in Early Islam was not very much different than in most parts of the world in that polygamy was allowed and practiced. While many other groups practiced unlimited polygamy, Muslim men could only take four wives total, and were not allowed to have more than one if he could not treat all wives equally.[76] When talking about the marriage limits the Quran reads, "…you may marry other women that seem good to you: two, three, or four of them. But if you fear you cannot maintain equality among them, marry one only or any slave girls you may own."[77] However, the catch was that after having four wives, a man could still take as many

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[73] Yasmin Hilloowala, "Women's Role in Politics in the Medieval Muslim World" (master's thesis, The University of Arizona, 1993), 19.
[74] *The Koran*, trans. N.J. Dawood (London: Penguin Books, 1990): Chapter 6, Verse 151.
[75] Leila Ahmed, "Women and the Advent of Islam," *Signs* 11, no. 4 (1986): 666.
[76] Yasmin Hilloowala, "Women's Role in Politics in the Medieval Muslim World" (master's thesis, The University of Arizona, 1993), 19-20.
[77] *The Koran*, trans. N.J. Dawood (London: Penguin Books, 1990): Chapter 4, Verse 3.

concubines as his resources would allow.[78] Some may believe any amount of polygamy was harmful to women, but Muslim women may have been able to control this too, except only in certain cases. The Quran dictates that women and men should have equality in marriage, which allowed women to begin the divorce process but really only in the case that they write up a contract for their marriage stating they have that right.[79] One example of this is the great-granddaughter of Muhammad, Sukayna, who was in complete control of her marriages.[80] First, she chose her husbands and married 5 times.[81] Then she had contracts and stipulations in her marriages like not having to obey her husband, not allowing her husbands to marry other wives while married to her, her husbands were not in control of her actions, and she did not have to accept her husbands' sexual advances.[82] In some cases, she also was the one to start the divorce process from her husbands.[83] Sukayna's marriages show us that perhaps early Muslim women had a considerable amount of freedom for women at the time, although we must be careful to consider the fact that she was Muhammad's granddaughter which may have given her special privileges. However, her story is still important because it also shows that a woman's rights in marriage seem to be more important than her reproductive capabilities. Since Sukayna could refuse her husbands more wives and sexual control over her then her desires must have been more important than making sure a man could have as many children as possible unlike in Sassanian Iran. However, we must also keep in mind that this is a single case. In general, marriage was still very male controlled as evidenced by the fact that women were not allowed to have multiple husbands, and could only gain rights in marriage through a contract stipulating

[78] Leila Ahmed, "Women and the Advent of Islam," *Signs* 11, no. 4 (1986): 678.
[79] Ibid.
[80] Yasmin Hilloowala, "Women's Role in Politics in the Medieval Muslim World" (master's thesis, The University of Arizona, 1993), 23-24.
[81] Ibid.
[82] Ibid.
[83] Ibid.

rights that would be automatically given to men. Without these contracts in marriage, women were basically under complete physical control of men.[84]

Women under Islam were also able to own their own property, and had inheritance rights. The Quran says, " Men shall have a share in what their parents and kinsmen leave; and women shall have a share in what their parents and kinsmen leave…they shall be legally entitled to a share."[85] A woman could be in some way economically independent if she owned her own land, without her husband taking it over.[86] Women also had a right to inheritance although this was limited to receiving a half of what men would inherit.[87] The Quran dictates that, "A male shall inherit twice as much as a female."[88] A woman could inherit land from her father, or from her husband since she would inherit some of her husband's estate at his death.[89] This economic freedom, although limited and unequal to men, at least gave Muslim women some control over areas of the household whether it be her father's or her husband's, as well as allowing them to have a responsibility outside of their husband.

Women were originally very important in early Islam as prayer leaders and also as followers. When Muhammad was still alive, women could act as "imams".[90] Only one, Umm Waraqah, was able to be an imam for both genders, while a few, for example Muhammad's wife Umm Salamah, acted as imams for only women.[91] However, each would act within their own

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[84] Leila Ahmed, "Women and the Advent of Islam," Signs 11, no. 4 (1986): 678.
[85] *The Koran*, trans. N.J. Dawood (London: Penguin Books, 1990): Chapter 4, Verse 7.
[86] Leila Ahmed, "Women and the Advent of Islam," Signs 11, no. 4 (1986): 680.
[87] Yasmin Hilloowala, "Women's Role in Politics in the Medieval Muslim World" (master's thesis, The University of Arizona, 1993), 20.
[88] *The Koran*, trans. N.J. Dawood (London: Penguin Books, 1990): Chapter 4, Verse 11.
[89] Yasmin Hilloowala, "Women's Role in Politics in the Medieval Muslim World" (master's thesis, The University of Arizona, 1993), 20.
[90] Nabia Abbott, "Women and the State in Early Islam," *Journal of Near Eastern Studies* 1, no. 1 (1942): 112.
[91] Ibid., 111-113.

household.[92] Umm Salamah acted as an advisor to Muhammad in many occasions.[93] She advised him when his followers would not follow his command, and also in times of military campaigns.[94] She was known for being wise and intelligent.[95] Of course, women were especially important in Islam as believers, evident in the Quran. Perhaps no woman is as important as Khadija, Muhammad's first wife. It was her wealth, knowledge, and support that allowed him to flourish as a prophet during the first years after his revelations.[96] She was the very first convert to Islam, which is a very respected position. Muhammad even titled her the "First Lady of Islam".[97] After her in importance is probably her and Muhammad's daughter Fatimah.[98] Fatimah is greatly honored in the Shi'ite traditions due to her being the wife and mother of the original Imams.[99] However, she is greatly respected in all traditions for being the only descendent of Muhammad to continue the lineage.[100] Nor can anyone ignore the extreme importance of Muhammad's young wife A'isha on the history of Islam. She preserved many hadiths, and therefore was very involved in the telling of early Islamic history.[101] Important on just that basis, she also is forever engrained in Islamic history as a leader during the civil war between those wanting to avenge Uthman's murder and those supporting Ali.[102] There are many examples of notable women in early Islamic history. This tells us that although perhaps not as appreciated as men, women had a special role in Islam. In early Islam, women were afforded leadership positions like the women who became imams, and A'isha's role in one of the most noted battles in Islamic history. Islam

[92] Ibid.
[93] Ibid., 124.
[94] Ibid.
[95] Ibid.
[96] Ibid., 108; 121-122.
[97] Ibid., 123.
[98] Ibid., 125.
[99] Ibid.
[100] Ibid.
[101] Leila Ahmed, "Women and the Advent of Islam," Signs 11, no. 4 (1986): 671.
[102] Ibid., 690.

was not a religion that made women out to be useless or evil. While in some cases Islamic society did place women in a subservient position, it did not disregard them or ignore their important role in religion. Instead, women, especially Muhammad's wives, were looked upon as those to mimic in practical ways like imitating their loyalty to the prophet and devotion to the practice of Islam.

Transition Period in Late Antique Persia

Many times, it seems, students of history believe that changes happen overnight, without any resistance. This is far from the case of the transitioning Zoroastrian Persia. The beginning of the transition era was mostly defined by concerns over where one fit into the new Muslim or Arab hierarchy. In contrast, the later transition period was marked by a blend of identities, and overall a gradual change in Iranian society. Throughout this period, Persians had to decide how far they were willing to change in order to maximize their status in this new society. They also had to decide which identity came first: religious or ethnic? Of course, the main question would be did they change at all?

Did the Zoroastrian Persians convert to Islam after the invasion of the Arab forces? If so, under what circumstances did they convert? When most people think of invasion and religious conversion, they think of forced, or violently sought, conversion. While this possibly may have been the case for some individuals, most of the time conversion was not forced, even during the invasions.[103] What was important to the Muslim invaders was tax collections and obedience to their rules from the people they took over.[104] The majority of Zoroastrian Persians did not

[103] Marietta Stepaniants, "The Encounter of Zoroastrianism with Islam," *Philosophy East and West* 52, no. 2 (2002): 163.
[104] Ibid.

convert to Islam after the Muslims had invaded, and instead decided to pay taxes or tribute so that they could live under Muslim rule while keeping their religious practices.[105] Given that converting to Islam was supposed to free one from paying the extra tax, some would expect that this tax would heavily deter Zoroastrians from keeping their religion, however, those who did convert to Islam often found that they still had to pay the tax regardless, so there was no real incentive in this way to convert.[106] In fact, so many Zoroastrians kept their faith that they would assert their power on Muslims.[107] One example of this is that, in some towns, the Zoroastrians stoned Muslims who tried to get them to practice Islam, at the mosque or in prayer.[108] However, if one did convert early it was usually for economic purposes.[109] There are cases where landowners were allowed to keep their land in certain regions like the ones hit first by the conquest like Iraq, once they converted to Islam.[110] Usually these converts were wealthy and from noble families.[111]

Although this may paint the transition of power to be a smooth one, it was just as complex as any other in history. In the 7th century there were plenty of revolts. In many of these instances a treaty had been made with the Muslim invaders and then broken by the Iranians.[112] Some notable examples are Fars, a very important region during Sassanian times, and Jibal, or Media.[113] In Fars, a treaty was made with the Arabs, but later broken when the Iranians killed a

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[105] Jamsheed Kairshasp Choksy, "Muslims and Zoroastrians in Medieval Iran and Western Inner Asia: Cultural Transition and Religious History," (PhD Diss., Harvard University, 1991): 141-142.
[106] Ibid., 212-213.
[107] Jamsheed K. Choksy, "Zoroastrians in Muslim Iran: Selected Problems of Coexistence and Interaction During the Early Medieval Period," *Iranian Studies* 20, no. 1 (1987): 27.
[108] Ibid.
[109] Ibid., 25-26.
[110] Ibid., 26-27.
[111] Ibid.
[112] Patricia Crone, *The Nativist Prophets of Early Islamic Iran: Rural Revolt and Local Zoroastrianism*, (New York: Cambridge University Press, 2012), 6.
[113] Ibid.

governor.[114]Afterwards, another governor came to attack Istakhr, where the rebellion had taken place, and killed thousands of people including the noble classes.[115] Regardless, the people rebelled again.[116] The next example, Jibal, is said to have rebelled by killing tax collectors and running away to the mountains, because of a policy of slavery the Muslims had put on them where they would take a person as a slave for every "dirham" that had not been paid in taxes.[117] Although the revolts obviously did not restore the Sassanian Empire, they are still useful to analyze. They tell us that the Persians, although willing to pay the taxes to survive and keep their lives as normal as possible, did not follow the wishes of the Muslims like sheep. It also shows us how even though the Muslims may have been most concerned with taxes, there was still oppression involved in that some cases there were severe consequences for not having your taxes, and the Transition Era was not a peaceful assimilation.

It was not until the 8th century that there was a trend towards conversion to Islam.[118] Usually the first people who converted lived around the military stations of the Arab troops.[119] Other early converts were those who had been captured during the wars, who could be freed from slavery and gain land if they converted.[120] Poor members of society also would convert as they would run away to the cities where the Muslims were stationed and become Muslim in order to get a position in the esteemed army.[121] However, this quickly became a problem as that meant less of a tax and agricultural base.[122] One solution that occurred was that these poor

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[114] Ibid.
[115] Ibid.
[116] Ibid.
[117] Ibid., 6-7.
[118] Jamsheed Kairshasp Choksy, "Muslims and Zoroastrians in Medieval Iran and Western Inner Asia: Cultural Transition and Religious History," (PhD Diss., Harvard University, 1991): 143.
[119] Ibid.
[120] Ibid.
[121] Patricia Crone, *The Nativist Prophets of Early Islamic Iran: Rural Revolt and Local Zoroastrianism*, (New York: Cambridge University Press, 2012), 13.
[122] Ibid.

immigrants would be rounded up and sent back home or not allowed in the army in the first place.[123] In the Umayyad Period, the tax system would be changed to include everyone paying taxes, not just the conquered, however, this also posed problems because it took away the privilege of the conquerors to not have to pay more taxes. [124] However, still Muslims would not have to pay the tax for being non-Muslim, which was at least something.[125] Regardless, the key to gaining membership in the highest class (Muslim ruling class) was converting to Islam, which was really a benefit compared with other empires that have existed.[126] The reasons it seems many people converted was the benefit of social mobility. This would have been an extraordinary ability compared to the seemingly strict monarchy of the Sassanians. During the Transition Era, perhaps wealth class did not matter so much as religious class, which made the reality of prosperity available for a much diverse group of people. Although this paper mentioned before how the wealthy class took advantage of conversion to keep their lands, it cannot be ignored that the peasants of the land were also cashing in on the opportunity to change their outcome, which could not have been possible in the Sassanian Era.

There is evidence of discrimination from Arab to non-Arab Muslims, however. Although it was promised that anyone who was non-Muslim who converted to Islam would not have to pay the "poll" taxes, this was not true because in reality it was only the non-Arab wealthy rulers and top soldiers who converted that did not have to pay it.[127] Even though converting was the road to a higher "class", non-Arab Muslims still would never get to the same level as their Arab

[123] Ibid., 14.
[124] Ibid., 13.
[125] Ibid.
[126] Ibid., 15.
[127] Jamsheed Kairshasp Choksy, "Muslims and Zoroastrians in Medieval Iran and Western Inner Asia: Cultural Transition and Religious History," (PhD Diss., Harvard University, 1991): 212-213.

counterparts.[128] Notably, the non-Arab Muslims were discouraged from partaking in any cultural characteristics that the Arab partook in.[129] These new Iranian Muslims would become "clients" of the Arab class, in order to try to position themselves in the ruling class.[130] These clients, even though supposed to be higher up the hierarchy, were not addressed by their honorific, and instead were addressed personally by their first name.[131] This would of course be a very obvious slur against someone who supposedly is in the same class. This could all be due to the possibility that Arab Muslims wanted to keep their dominance in this society, and this was their solution to keep the native elite repressed and unable to take over. However, it seems that eventually the Arabs and Persians would assimilate together.

The Zoroastrians were not keen on conversions for their own reasons. In fact, they believed that one who converted out of the religion deserved the death penalty, even though in reality converts were probably not harmed due to the falling power of Zoroastrians.[132] However, returning back to Zoroastrianism after leaving it was allowed, although if one had converted to Islam, one could face the death penalty from their Islamic rulers.[133] Zoroastrians believed that anyone who converted away from the faith who had property should have it confiscated from them, however, this was extremely difficult in the time period because the Muslim rulers would be in charge of that.[134] Zoroastrians also had strict laws regarding how they could interact with non-believers, in this case Muslims.[135] Particularly, purity was important where it was seen as

[128] Ibid., 145.
[129] Ibid.
[130] Richard Foltz, *Iran in World History* (New York: Oxford University Press, 2016), 47.
[131] Jamsheed Kairshasp Choksy, "Muslims and Zoroastrians in Medieval Iran and Western Inner Asia: Cultural Transition and Religious History," (PhD Diss., Harvard University, 1991): 145.
[132] Jamsheed K. Choksy, "Zoroastrians in Muslim Iran: Selected Problems of Coexistence and Interaction During the Early Medieval Period," *Iranian Studies* 20, no. 1 (1987): 23.
[133] Ibid., 22.
[134] Ibid., 23.
[135] Ibid., 24.

unclean to interact with non-believers, and Muslims were not allowed in the temple but they could offer gifts to the temple.[136] However, financial rules were not very intense, as one could sell wine and cows to Muslims, the latter only if someone relied on that income.[137] These rules show how the Zoroastrians resented the religious change, but perhaps appreciated the new financial opportunities that the Muslims being present gave them. Obviously they did not want to lose their traditional religious power, as they were by losing practitioners, but if something was beneficial to their current members such as trading with Muslims they would work with it. Zoroastrians wanted the best of both worlds, keeping their religious prominence in society, but also keeping the business or benefits of the Muslims conquerors.

One important characteristic of this time period is the debate over who were "people of the Book" who were allowed to practice their beliefs, but had to pay more taxes than Muslims. "The People of the Book" in Islam were those people who were fellow monotheists that had received sacred scripture prior to Islam.[138] There are three groups that the early Muslims decidedly thought were "people of the Book": Jews, Christians, and Sabi'ans.[139] They believed these religious beliefs had a certain connection with Islam, but were ultimately the incorrect beliefs.[140] As discussed before, once taken over by the Muslims they could exist but had to pay the tax for being non-Muslim.[141] Many scholars believe Zoroastrians were considered "People of the Book" because of their tax paying status, as well as the fact that modern day Zoroastrians consider themselves to be under this designation.[142] However, there is some debate over this as

[136] Ibid.
[137] Ibid., 24-25.
[138] Andrew David Magnusson, "Muslim-Zoroastrian Relations and Religious Violence in Early Islamic Discourse, 600-1100 C.E.," (PhD Diss., University of California, Santa Barbara, 2014): 45.
[139] Ibid.
[140] Ibid.
[141] Ibid.
[142] Ibid., 46.

some consider the fact that the Zoroastrians may not have had a "written scripture" until the 11th century, as well as the fact that Muslims would not allow marriage or food preparation by Zoroastrians.[143] Regardless of this debate, the Muslims did allow Zoroastrians to continue to practice their religion while just paying the extra tax. If they were not necessarily "People of the Book", they were at least respected enough to allow many of the same privileges.

Changes and Stability for Women During the Transition Period

The following section will discuss ways in which life specifically changed for women in Persia/Iran during the transition period to Islam from Zoroastrianism. Although, these are not a complete list of the ways their roles and lives would have changed, they are some of the main factors that may have been noticeable. These factors can be organized into four broad categories: religious practices, bodily and personal practices, legal institutions, and domestic lives. Women experienced change and stability within religious practices through the effect of conversion on their lives and the changes in ceremonies and rites. Bodily and personal practices were affected as well through veiling and menstruation. Legal institutions such as marriage change, but land ownership largely does not. Finally, the domestic lives of some women would change in ways like enslavement and the way their houses were constructed. All these changes or continuities would have been significant to the quality of Iranian women's lives during this period.

Religious Practices

The Effect of Conversion

Conversion to Islam for a Zoroastrian woman could have profound impacts on her life. First, even if she stayed Zoroastrian, but her male guardian converted to Islam, she would face

[143] Ibid., 46-47.

societal repercussions.[144] If a woman's male guardian converted, often she would have to become a lower level wife of a Zoroastrian man, not his main wife who was in charge of the household.[145] This continues to show how little regard Zoroastrians had for women. Her own actions did not matter, and one man's choice of faith could completely change her life. In a sense, this shows the objectification of women. Earlier in the paper, we discussed how if a Zoroastrian converted to Islam his possessions or land were taken, although this practice was difficult as Muslim control expanded.[146] In this case, it is as if a woman was a possession of a man just as well and she would also be confiscated to be given to a member of the Zoroastrian faith. Similarly, if a woman's husband converted to Islam but she did not, her status could decline as well as the status of any children from the union.[147] As with the other case, the woman and children would also have to find another Zoroastrian male guardian.[148] However, one might assume that in this case it would not be in marriage but perhaps the mother's father or brother that could be the male guardian. Even then, this case shows how a man's decision basically made the same decision for his wife since she would most likely be treated the same as him in the community. Jamsheed Choksy notes that even though if a woman could not find an alternative guardian and would probably resort to conversion herself in this case, the Zoroastrian community rarely took action to assist these women.[149] This information raises the question if Zoroastrians even considered the wives of converts Zoroastrian anymore. Why wouldn't this faith which was so revolted by conversion not try to sway people from converting along with their family? One

[144] Jamsheed Kairshasp Choksy, "Muslims and Zoroastrians in Medieval Iran and Western Inner Asia: Cultural Transition and Religious History," (PhD Diss., Harvard University, 1991): 225.
[145] Ibid.
[146] See Page 22 of this paper; Jamsheed K. Choksy, "Zoroastrians in Muslim Iran: Selected Problems of Coexistence and Interaction During the Early Medieval Period," *Iranian Studies* 20, no. 1 (1987): 23.
[147] Jamsheed Kairshasp Choksy, "Muslims and Zoroastrians in Medieval Iran and Western Inner Asia: Cultural Transition and Religious History," (PhD Diss., Harvard University, 1991): 225.
[148] Ibid.
[149] Ibid.

possibility could be that they did not consider these women Zoroastrian anymore if their husband was not. This could especially make sense since a woman was expected to be obedient to her husband during Sassanian, Zoroastrian led, times.[150] If obedience was expected wouldn't what a woman's husband decide was right also apply to her?

Ceremonies/Rites

One ceremony that may have changed for women was their role in funerals, specifically in mourning for the dead. For Zoroastrians, there was no law against women mourning at funerals since what the Zoroastrians were really interested in was purity of the ceremony.[151] Women were not allowed as priests at the funerals, but besides that women could participate in the general ceremony.[152] However, Islamic funerals were much different. Women were punished for wailing at Islamic funerals[153], because it was seen as going against God's decision, bringing evil into the home, and as too expensive since in some cultures one would hire professional wailers.[154] This could suggest a decrease in women's social roles under Islam. It would seem that a funeral would be a time for relatives to gather and express their grief at the loss of a loved one. If this is the case, women perhaps could have played a central role in the Zoroastrian funerals. Although they could not be priests, their role was not defined giving them the ability to act as they pleased within the parameters of the society, while Muslims women were restricted in that their presence at a funeral would be only out of respect or tradition. Zoroastrian mothers would have been given the chance to be the grieving mother, or daughter of the deceased, while Muslim

[150] A. Perikhanian, "Iranian Society and Law," in *The Cambridge History of Iran: Volume III (II) The Seleucid, Parthian, and Sasanian Periods*, ed. Ehsan Yarshater (Cambridge: Cambridge University Press, 1983), 647.
[151] Leor Halevi, "Wailing for the Dead: The Role of Women in Early Islamic Funerals," *Past & Present*, no. 183 (2004): 35.
[152] Ibid.
[153] Ibid., 5.
[154] Ibid., 13-15.

mothers and daughters would blend in with the other funeral attendees. Perhaps this could have also decreased women's economic possibilities as well. If women could be hired as professional mourners before Islam, they could have made their own individual income without their husbands. Under Islam, one could not do this anymore, potentially taking away from the ability of some women to participate independently in the economy.

Bodily and Personal Practices

Veiling

To say that veiling was a change created by the coming of Islam to Persia is complicated. In fact, it may have been a continuation of practice. After the time of Alexander the Great, veiling became a common practice in Persia after it was practiced in his royal household.[155] In early Islam, at first only Muhammad's wives practiced veiling[156], however eventually more women would adopt this practice as time went on. Muhammad was said to have had a hadith that included the veiling and seclusion of his wives during his wedding to his wife Zeinab where the guests wouldn't leave and accidentally touched his other wives.[157] However, the practice of veiling may have already been present in Arabia even before Muhammad wanted his wives to practice it.[158] The veil was also suggested by Umar to Muhammad for his wives because Umar believed it would allow them to avoid harassment.[159] By the Abbasid Empire (8th century), Islamic scholars began saying that this should apply to all women since women should imitate

[155] Yasmin Hilloowala, "Women's Role in Politics in the Medieval Muslim World" (master's thesis, The University of Arizona, 1993), 17.
[156] Leila Ahmed, "Women and the Advent of Islam," Signs 11, no. 4 (1986): 684.
[157] Ibid., 682.
[158] Ibid., 683.
[159] Yasmin Hilloowala, "Women's Role in Politics in the Medieval Muslim World" (master's thesis, The University of Arizona, 1993), 25.

the Prophet's wives.[160] This would have applied to Persian women since Persia was also under the Abbasids. However, instead of the common belief that Islam brought the veil, in reality veiling was just a continuation of practice among women in Persia. Although the veil is also a social practice, the veil is very much associated with religion in the case of Islam. For women perhaps only the meaning of the veil changed, however the practice didn't. In Sassanian Persia it may have just been a social practice resulting from the practice of nobles, however it would have become a religious practice under Islam, although once again it would mean women would continue to imitate people they saw as higher up (Muhammad's wives). Perhaps women did not necessarily think that deeply into the meaning of veiling however, and instead just continued a practice that was normal to them.

Menstruation Practices

The hostility and taboo of menstruation for women would not have changed for women in Persia during Islamic rule. However, the practices around it may have. As previously discussed, Zoroastrians believed menstruation came from the evil deity, Ahriman (or Angra Mainyu), kissed the forehead of a demoness and thus caused menstruation for women.[161] Since Zoroastrianism was very invested in purity laws, women were secluded outside of the house as to not "contaminate" the rest of the population.[162] While converting to Islam may have allowed women to escape the purity laws associated with menstruation, there was no escaping the connection between evil and menstruation. Muslims believed menstruation was a punishment from Allah onto Eve for committing the sin of eating from the forbidden tree, which she did after

[160] Ibid., 25-26.
[161] Siamak Adhami, "On the Seclusion of Women in Antiquity," *Iranian Studies* 49, no. 2 (2016): 291-300.
[162] Ibid.

being introduced to it by Satan, the evil "angel" in Islam.[163] As in Zoroastrianism, Islam presents menstruation as created by the evil spirit in the religion. As discussed before, Zoroastrianism connected women with evil, and in this case Islam does as well. Zoroastrians saw demonesses responsible for the seduction of men, while Muslims saw Eve as part of the original couple who were tempted to sin by Satan. It is menstruation that is a response for each of these actions, and thus the reason that women's natural cycles will be seen as taboo and unholy in both religions. This a connection between the faiths that would make an easy transition. As a man, it would be easier to convert to a religion that promised the same male dominance over women and that also connected women as the root of evil. For women this would be similar. If one was used to seeing their gender group as one that contained great flaws, it would be easy to believe in a religion that in some cases espoused the same thing.

Legal Institutions

Marriage

Marriage would continue to be of incredible importance to women throughout the Transition Period and Islamic rule, as both societies were patriarchal. Four of the Zoroastrian types of marriages: padixsayih (the main wife), caganh (the secondary or dependent wife), xwasrayunih (marriage without the father's consent), and ayoken (acting as the spouse of a relative at their death) all continued into the Transition Period.[164] The type of marriage known as "xwedodah" in which one would marry their parent or spouse was mentioned in some Muslim sources in which it was condemned.[165] However, Choksy argues that this was not a widespread

[163] D. A. Spellberg, "Writing the Unwritten Life of the Islamic Eve: Menstruation and the Demonization of Motherhood," *International Journal of Middle East Studies* 28, no. 3 (1996): 312-313.
[164] Jamsheed Choksy, *Evil, Good, and Gender: Facets of the Feminine in Zoroastrian Religious History* (New York: Peter Lang, 2002), 90.
[165] Ibid., 91.

practice in either under Zoroastrian or Islamic rule.[166] This continuity within the Zoroastrian community shows how during the Transition Period, they could continue their religious practices even if they were rather different from Islamic practices. Conversely, and a negative impact of Islam's coming for Zoroastrian women, in some cases women would be forced into them under Islamic rule due to their guardian's conversion to Islam, while they wanted to stay in the Zoroastrian community.[167] As a whole however, in this case women's lives did not change dramatically.

One way marriage could change a woman's life in this period was marriage to an Arabic Muslim man. If she was Zoroastrian, this could be a way for her to convert to Islam, since she would then be considered to be under the faith of her husband.[168] These unions would produce a mixing of Persian and Muslim cultures on the next generations in Iran, as Zoroastrian holidays would be combined with Muslim ones and the Fourth Imam in Shia Islam was the son of a Zoroastrian women.[169] This could have had potential to change a woman's social standing as she would then join the ruling Muslim class. This could have had great advantages such as escape from paying higher taxes, and greater social standing than if she had stayed Zoroastrian. Also, if the marriage occurred during the early conquest years, marriage to an Arab Muslim may have protected a woman from becoming a concubine or a slave to another invader.

Although some scholars argue that the limitation of four wives in Islam is an example of Muhammad putting a stop to the large polygamous marriages, and harems[170], large harems still

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[166] Ibid.
[167] Jamsheed Kairshasp Choksy, "Muslims and Zoroastrians in Medieval Iran and Western Inner Asia: Cultural Transition and Religious History," (PhD Diss., Harvard University, 1991): 225.
[168] Jamsheed Choksy, *Evil, Good, and Gender: Facets of the Feminine in Zoroastrian Religious History* (New York: Peter Lang, 2002), 95.
[169] Ibid.
[170] Yasmin Hilloowala, "Women's Role in Politics in the Medieval Muslim World" (master's thesis, The University of Arizona, 1993), 19.

existed in the time of early Islamic rule.[171] This may indicate that Persian culture influenced the Islamic rulers in the area, to shy away from the original teachings of Islam. Since these large harems benefitted men in many ways by providing familial connections, wealth, and sexual relationships, one can see how a man would easily try to adapt this practice into his rule even though his religion seems to disagree. While some women may have seen the cap of four wives as a good practice of discipline in marriage on a man, in practice this did not happen nor benefit them. However, since many of these women came from a society where large harems were normal perhaps they did not see it as a disadvantage and just as a normal way of life.

Divorce was a concern for both religions, and complicated. Under Zoroastrianism, the right of divorce was with the man mainly as he could divorce his wife if she could not have children[172], or, without her consent, if she engaged in some kind of "sinful" activity like "prostitution" or not obeying him.[173] In the case of the type of marriage where the wife was the main wife or wife in charge of the household, divorce was granted if both parties agreed to it.[174] For Muslims, the Quran grants equality between the sexes in marriage and thus most people also interpret that as equality to initiate divorce but in the case that it is stated in the marriage contract.[175] The Quranic verse that gives Muslims this equality says, "Women shall with justice have rights similar to those exercised against them, although men have a status above women."[176] This was quite revolutionary considering the time period being the 7th century.

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[171] Jamsheed Choksy, *Evil, Good, and Gender: Facets of the Feminine in Zoroastrian Religious History* (New York: Peter Lang, 2002), 101.
[172] Rahele Jomepour, "Women in Iran: Ancient History to Modern Times, and Back" (master's thesis, Iowa State University, 2015), 9.
[173] Jenny Rose, "Three Queens, Two Wives, and a Goddess: Roles and Images of Women in Sasanian Iran," in *Women in the Medieval Islamic World*, ed. Gavin R. G. Hambly (New York: St. Martin's Press, 1998), 34.
[174] Ibid.
[175] Leila Ahmed, "Women and the Advent of Islam," Signs 11, no. 4 (1986): 678.
[176] *The Koran*, trans. N.J. Dawood (London: Penguin Books, 1990): 35.

However, the end of this verse may suggest that although there was the same level of rights legally, but religiously and socially women were below men. Leila Ahmed argues that divorce was still mostly just the right of the man, and women were purposefully disempowered in divorce due to Muhammad's own personal embarrassment when some women of high status divorced him.[177] On one hand, we can see that women were believed to be substandard to men in both religions since both favored the man and gave him ease in getting a divorce. In this case, women's lives stayed the same. However, conversely one could also argue that at least under Islam women had some religious justification in the Quran to begin the divorce process without her husband involved while under Zoroastrianism there is no provision for that. Zoroastrian women had to rely on their husbands to grant the divorce. These women too risked being divorced without their consent in many cases. It seems Muslim women had more choice in the divorce process since the Quran states that they should have equality in marriage. So if a woman converted to Islam from Zoroastrianism, she could perhaps have more control in her marriage. Even if a woman did not convert, she may have had a chance to sue for divorce under Islamic rule in the Islamic courts.[178] Haleh Emrani gives the example of Jewish women being able to sue for divorce in the Islamic courts under Islamic rule even though their own religion did not allow them to.[179] If this was the case for Jewish women, perhaps Zoroastrian women too could have had this chance in the Transition Period. This would have given Zoroastrian women great independence outside of their religious community if true, and allowed them to raise their status within their own marriage if their husbands were threatened with the new possibility of divorce. However, in this case we must also keep in mind the debate over the "People of the Book", and

[177] Leila Ahmed, "Women and the Advent of Islam," Signs 11, no. 4 (1986): 678-679.
[178] Haleh Emrani, "Marriage Customs of the Religious Communities of the Late Sasanian Empire: An Indicator of Cultural Sharing," (PhD Diss., University of California, Los Angeles, 2011), 234.
[179] Ibid.

consider that if Zoroastrians were not a part of this group they may not have had the same privileges to use the courts.

Land Ownership

Technically, under both Zoroastrian and Islamic law women could own land independently from their husband. So therefore this would have been a continuation of practice during the Transition Period. Zoroastrian women usually could not own property outside without their husband unless it was her inheritance from her father and in only that case would the land legally be hers, and not her husbands.[180] Women in Islam also had a right to their inheritance in the form of property.[181] The Quran states, "Your wives shall inherit one quarter of your estate if you die childless. If you leave children, they shall inherit one-eight…" and "If a man or a woman leave neither children nor parents and have a brother or a sister, they shall inherit one-sixth. If there be more, they shall equally share the third of the estate…"[182] This gave women the opportunity to gain land if they were widowed or had a family member pass away. However, just because women had a right to their inheritance is not saying the same as that they could own property without their husbands' consent or oversight. We must remember that both these societies and religions were very patriarchal. However, at least women could be protected under these legal rights to land and have some economic independence in their inherited land. It was at least one factor of their lives their husbands could not control. This continuation of rights probably helped women ease into conversion to Islam as they could be ensured their inheritance rights would not be bothered.

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[180] A. Perikhanian, "Iranian Society and Law," in *The Cambridge History of Iran: Volume III (II) The Seleucid, Parthian, and Sasanian Periods*, ed. Ehsan Yarshater (Cambridge: Cambridge University Press, 1983), 648.
[181] Yasmin Hilloowala, "Women's Role in Politics in the Medieval Muslim World" (master's thesis, The University of Arizona, 1993), 20.
[182] *The Koran*, trans. N.J. Dawood (London: Penguin Books, 1990): 78.

Domestic Lives

Slavery

Perhaps the most striking change for some women would have been entering into enslavement. This is not to say that there were not female slaves in Sassanian Persia, however. During Sassanian times, in many noble households there were many slaves, including female slaves who were often the concubines of the "master of the house".[183] However, the military conquests of the Muslims certainly change many women's status from free to slave. Especially in cities, many women spend considerable amounts of time under occupation being slaves to the soldiers.[184] When one town, Jalula, became occupied by Muslim forces women "were taken as concubines" and had children by these soldiers who took them.[185] In the city of Istakhr, noblewomen, among other classes, were also taken a concubines.[186] Perhaps the fact that noblewomen were also taken as slaves presents the biggest change in lifestyle for women in the transition period. These women were used to having servants and slaves, not being them. Certainly, however, women from the other classes too felt great change and heartbreak as they lost their free status and dealt with the trauma of rape. Persian women's capture as concubines decreased after the Muslim men brought their families to their stations.[187] Regardless, many Persian women continued to be slaves afterwards.[188] Even in the Ummayyad and Abbasid period, men were collecting concubines in order to show off their wealth and make connections

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[183] Jenny Rose, "Three Queens, Two Wives, and a Goddess: Roles and Images of Women in Sasanian Iran," in *Women in the Medieval Islamic World*, ed. Gavin R. G. Hambly (New York: St. Martin's Press, 1998), 34.
[184] Jamsheed Choksy, *Evil, Good, and Gender: Facets of the Feminine in Zoroastrian Religious History* (New York: Peter Lang, 2002), 93.
[185] Jamsheed Choksy, "Women During the Transition from Sasanian to Early Islamic Times," in Women in Iran from the Rise of Islam to 1800, ed. Guity Nashat and Lois Beck (Chicago: University of Illinois Press, 2003), 54.
[186] Ibid.
[187] Ibid.
[188] Jamsheed Choksy, *Evil, Good, and Gender: Facets of the Feminine in Zoroastrian Religious History* (New York: Peter Lang, 2002), 101.

with other men.[189] Choksy gives an example of how a caliph possibly sold a "Zoroastrian princess" to a Jewish leader.[190] Women being used as slaves did not change during this period, but which class they were from certainly did. Noble Sassanian women were not taken as slaves during their rule, but they were once the Muslim troops took over. However, this is not to diminish the fact that many individual women, even those in the lower classes, were enslaved as well. Also, the practice of harems did not change either as we have seen in this section. One might think that the practice would have seized with the Muslim invasion since they were once disgusted with the harems of the Persians. Women continued to be treated as commodities in the Sasanian, Transition, and Islamic times. Whether as slaves in or out of the harem, they were at the mercy of the men they "belonged" to. Some believed Islam to be a liberating force, however for many women it kept them in same situation they had always been in.

Homes

These is a possibility that if a woman converted to Islam from Zoroastrianism, the architecture of her house could have changed quite significantly. Sanjoy and Shampa Mazumdar did a study on the differences in the architecture of Zoroastrian and Muslim houses.[191] Although the study is not specifically about houses during the Transition Period, it still applies to the time period as religious practices would have forced the way people lived to change. In a sense, the change in housing is a culmination of all the ways this paper has discussed the lives of women changing.

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[189] Ibid.
[190] Ibid.
[191]Sanjoy Mazumdar and Shampa Mazumdar, "Religious Traditions and Domestic Architecture: A Comparative Analysis of Zoroastrian and Islamic Houses in Iran," *Journal of Architectural and Planning Research* 14, no. 3 (1997): 181-208.

One key difference in Zoroastrian houses and Muslim houses was the separation of spaces for men and women.[192] In Islam, there were strict codes about women only being able to be seen by her husband or male relatives, and not seen without a veil by non-related men.[193] Therefore, houses had to work around this. In Islamic houses, there were high walls on the outside, and windows and doors were positioned so that no one could look into the privacy of the home.[194] There was also a separation of rooms for women and men, and their respective guests and help.[195] The women's room was on the inner part of the house while the men's room was on the outer part of the house.[196] In poorer houses, the two rooms would be separated by a wall of wood, while in the richer houses the rooms could be separated by courtyards and have multiple different spaces.[197] Male visitors could not come in the women's room, and would not be let in the house if no men were present in the house.[198] Zoroastrians houses had no separate rooms for different genders, as everyone gathered together without gender seclusion.[199]

However, one section of a Zoroastrian house that would not be present in a Muslim's house was the small room that a woman would stay in during her menstrual cycle.[200] This room would be slightly outside of the house so as to not ruin the purity of anything due to the Zoroastrian belief in the pollution of menstruation.[201] Another thing one would see in an Zoroastrian home would be a room for ceremonial religious practices where a fire could be lit if

[192] Ibid., 189.
[193] Ibid., 185.
[194] Ibid.
[195] Ibid., 185-187.
[196] Ibid., 185.
[197] Ibid., 185-187.
[198] Ibid., 187.
[199] Ibid., 189.
[200] Ibid.
[201] Ibid.

needed, while in Muslims houses a ceremonial room was not needed since men (not always women) went to the mosque to pray.[202]

Both Zoroastrian and Muslims houses need to face South but for different reasons.[203] Zoroastrians believed South was a more prosperous direction, while Muslims wanted their houses, except for the bathroom because it was "dirty", facing South so they could pray towards Mecca[204] One can see how houses in the Transition Period were probably also built similar to these ways because they are based off of religious beliefs.

The beliefs in seclusion for Muslims and purity for Zoroastrians had always been present, and probably reflected in their styles of living. Particularly having to be separated in their home would have been a great change for women who converted to Islam in this period, as their Zoroastrian friends and family would not have separated rooms and would mingle about. Perhaps this restricted newly converted Muslim women from interacting with their Zoroastrian friends due to the inability of Zoroastrians to accommodate secluded events in their homes. A positive change for these converted women may have been the lack of a room to seclude themselves during menstruation, which would give them more freedom to live in their regular dwellings and interact with their families instead of being hidden. However, we must keep in mind a complete change of house would have been a particular privilege of the rich since poorer converts may not have had the money to make changes to their houses like build high walls and separate rooms. This may originally have only been a change in the rich communities of converts.

[202] Ibid., 191.
[203] Ibid.
[204] Ibid., 191-192.

Conclusion

The period of time during the Muslim conquest of Persia, and the following centuries were certainly periods of great struggle, and societal chaos. However, as this paper has explored, the lives of women generally stayed the same. When their lives did change however, it was largely social, and not socio-economic or religious. This shift in rulers did not affect women's status in society largely as they were kept disempowered in two highly patriarchal societies. Mass conversion did not follow either. Most Zoroastrians stayed Zoroastrian during the beginning of the conquest through the 8th and 9th centuries, because there was no forced conversion on the part of the Muslims. Zoroastrians only had to pay a tax to be able to continue their practice. That being said many women kept living in their same cultures, and roles within society. However, some changes were brought. As mentioned before, these were largely social however. If a woman married an Arab Muslim man and thus converted to Islam, she may have gained social status and protection in comparison to her Zoroastrian married counterparts. Women may have been granted better divorce rights regardless if they converted or not, even though largely divorce was in the hands of men still. If a woman's male guardian converted to Islam without her she could have faced severe consequences in having to become a secondary wife to another man and finding another guardian. Women lost some of their roles in funerary practices as wailers, and could not show emotion at the death of someone if they converted. Women would not be secluded during menstruation if they converted to Islam. Many women, across all classes in society, would lose their freedom and become slaves to the invading Muslim forces. Their homes too might have changed if they converted as they would have then found themselves unable to mingle with the opposite sex like their Zoroastrian counterparts, and thus

their homes would have been built with separate rooms and high walls to be able to accommodate this change.

Conversely, many things would stay the same for women too. Veiling had already been introduced as a practice in Persia before Islam. Women still would engage in the various types of Zoroastrian marriages, and would continue to be a part of huge harems in some cases. Women would continue to be able to inherit land and keep it separately from their husbands. Menstruation would continue to be seen as a taboo, and although more women might have experienced enslavement in the Transition Period, this had been a widely held practice before Islamic rule as well.

These changes did not happen overnight, and took different amounts of time for different people. As not everyone converted, and many of those who did converted much later than the initial invasion, these changes did not affect every woman. Some changes affected Zoroastrian women while some affected mainly recently converted Muslim women. One can also not make a definite claim that these changes or continuities were overall positive or negative for women. However, it does seem that some of the changes to Islam did help women foster independence in some areas like divorce, menstruation practices, and in some cases marriage.

Regardless, it is in this transition period that led the way for the Iran we know today, even though this period is largely left out of the historical discussion. Women cannot be left out of this discussion, and perhaps have been so far due to so little source material in addition to societal ideas that women do not affect history like men do. Women in modern day Iran, as well as all over the world, must not forget their role in history. As half the world population, women were just as involved in events in history and affected by them as men. Perhaps currently, as

women in Iran rise up against their government in protests across the nation[205], it is most important for to remember how their 7th century grandmothers were treated in the course of history as a motivation to fight for their own rights and independence.

[205] Eliza Macintosh, "Iranian Police Arrest 29 for Involvement in Hijab Protests," *CNN*, February 3, 2018, Accessed February 24, 2018. https://www.cnn.com/2018/02/02/middleeast/iran-arrests-29-women-after-hijab-protest-intl/index.html.

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